

FILED

FEB 16 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

VICTOR ECHEAGARAY-LEON,

Defendant - Appellant.

No. 05-10188

D.C. No. CR-04-01315-DCB/CRP

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Arizona
David C. Bury, District Judge, Presiding

Submitted February 13, 2006^{**}

Before: FERNANDEZ, RYMER, and BYBEE, Circuit Judges.

Victor Echeagaray-Leon appeals from his guilty-plea conviction and 42-month sentence for illegal re-entry after deportation, in violation of 8 U.S.C. § 1326.

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Echeagaray-Leon has filed a brief stating there are no grounds for relief, and a motion to withdraw as counsel of record. Echeagaray-Leon has filed a pro se supplemental brief.

Our examination of the brief and independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 83 (1988), disclose no grounds for relief.

Counsel's motion to withdraw is **GRANTED** and the district court's judgment is **AFFIRMED**.